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10/526,287	03/01/2005	Gregg D. Wilensky	07844-558US1/P513	6269

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EXAMINER
BROMELL, ALEXANDRIA Y

ART UNIT	PAPER NUMBER
2167	

NOTIFICATION DATE	DELIVERY MODE
05/13/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PATDOCTC@fr.com

	Application No.	Applicant(s)
	10/526,287	WILENSKY, GREGG D.
Office Action Summary	Examiner	Art Unit
	ALEXANDRIA Y. BROMELL	2167

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>28 January 2010</u>.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>60 - 80</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>60 - 80</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>25 March 2005</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____ .

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____ .

DETAILED ACTION

Claims 60 – 80, which are currently pending, are fully considered below.

Response to Arguments

Applicant's arguments filed January 28, 2010 have been fully considered but they

are not persuasive. Therefore, examiner relies on her previous rejection and it is made

FINAL. Applicant's arguments are addressed in depth below.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or
described in a printed publication in this or a foreign country, before the invention
thereof by the applicant for a patent.

Claims 60 – 61, 67 – 68, 71 – 72, and 78 - 80 are rejected under 35

U.S.C. 102(a) as being anticipated by Kresimir Matkovic et al. ("Visual Image Query",

ACM, June 11 – 13, 2002, pages 116 - 123), hereinafter, "Matkovic."

With respect to claim 60, Matkovic teaches receiving a plurality of reference

images (i.e. target images, or reference images are retrieved, page 117, 3: Main Idea,

lines 1 - 3), calculating by a computer image parameters for each reference image

wherein the image parameters characterize color, texture and shape features that are

common to the reference image and at least one other reference image (i.e. parameters

are calculated for reference and instant images, page 117, 3: Main Idea, lines 5 - 11),

combining by the computer the calculated image parameters to generate a composite

reference image (i.e. image parameters are reduced to generate a composite image,

page 117, 3: Main Idea, lines 5 – 6), comparing by the computer the composite

reference image to images in a collection in order to identify one or more of the images

having features described by the composite reference image (input image is compared

to other reference images based on calculated parameters, page 117, 3: Main Idea,

lines 15 - 25).

With respect to claim 61, Matkovic teaches the reference images are ranked and

wherein calculating parameters for each reference image includes weighting the

parameters based on each reference image's rank (i.e. input image is compared to

other reference images based on calculated parameters, page 117, 3: Main Idea, lines

22 – 24).

With respect to claim 67, Matkovic teaches calculating image parameters for the

one or more images in the collection (i.e. image parameters are calculated for all

images in a collection, page 117, 3: Main Idea, lines 1 – 3).

With respect to claim 68, Matkovic teaches comparing the composite reference

image to parameters of each of the one or more images in the collection (i.e. query

image (composite image) compared to images in collection, page 117, 3: Main Idea,

lines 15 - 17).

With respect to claim 71, Matkovic teaches receiving a plurality of reference

images (i.e. target images, or reference images are retrieved, page 117, 3: Main Idea,

lines 1 - 3), calculating by a computer image parameters for each reference image

wherein the image parameters characterize color, texture and shape features that are common to the reference image and at least one other reference image (i.e. parameters are calculated for reference and instant images, page 117, 3: Main Idea, lines 5 - 11), combining by the computer the calculated image parameters to generate a composite reference image (i.e. image parameters are reduced to generate a composite image, page 117, 3: Main Idea, lines 5 – 6), comparing by the computer the composite reference image to images in a collection in order to identify one or more of the images having features described by the composite reference image (input image is compared to other reference images based on calculated parameters, page 117, 3: Main Idea, lines 15 - 25).

With respect to claim 72, Matkovic teaches reference images are ranked and wherein calculating parameters for each reference image includes weighting the parameters based on each reference image's rank (i.e. input image is compared to other reference images based on calculated parameters, page 117, 3: Main Idea, lines 22 – 24).

With respect to claim 78, Matkovic teaches calculating image parameters for the one or more images in the collection (i.e. image parameters are calculated for all images in a collection, page 117, 3: Main Idea, lines 1 – 3).

With respect to claim 79, Matkovic teaches comparing the composite reference image to parameters of each of the one or more images in the collection (i.e. query image (composite image) compared to images in collection, page 117, 3: Main Idea, lines 15 - 17).

With respect to claim 80, Matkovic teaches one or more computers operable to execute the program product, interact with the display device, and perform operations comprising receiving a plurality of reference images (i.e. target images, or reference images are retrieved, page 117, 3: Main Idea, lines 1 - 3), calculating by a computer image parameters for each reference image wherein the image parameters characterize color, texture and shape features that are common to the reference image and at least one other reference image (i.e. parameters are calculated for reference and instant images, page 117, 3: Main Idea, lines 5 - 11), combining by the computer the calculated image parameters to generate a composite reference image (i.e. image parameters are reduced to generate a composite image, page 117, 3: Main Idea, lines 5 – 6), comparing by the computer the composite reference image to images in a collection in order to identify one or more of the images having features described by the composite reference image (input image is compared to other reference images based on calculated parameters, page 117, 3: Main Idea, lines 15 - 25).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 62 – 64, and 73 - 75 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Kresimir Matkovic et al. ("Visual Image Query", ACM, June 11 – 13,

2002, pages 116 - 123) in view of Essam El—Kwae et al. ("A Robust Framework for

Content – Based Retrieval by Spatial Similarity in Image Databases," ACM, 1999,

pages 174 - 198), hereinafter, "El - Kwae."

With respect to claim 62, Matkovic teaches a visual image query method

(Introduction, page 116, lines 36 - 39). Matkovic does not explicitly teach raster data as

claimed.

However, El-Kwae teaches a reference image includes raster data (i.e. reference

image includes shape data, page 175, line 7).

Matkovic and El – Kwae are analogous art because they are from the same field

of endeavor of image searching. At the time of the invention, it would have been

obvious to one of ordinary skill in the art to modify the teachings of Matkovic with the

teachings of El – Kwae in order to search for and retrieve images using spatial similarity

(El – Kwae, page 174, lines 1 - 5).

With respect to claim 63, Matkovic teaches a visual image query method

(Introduction, page 116, lines 36 - 39). Matkovic does not explicitly teach vector data as

claimed.

However, El-Kwae teaches a reference image includes vector data (i.e. images

have vector data, page 181, line 30).

Matkovic and El – Kwae are analogous art because they are from the same field

of endeavor of image searching. At the time of the invention, it would have been

obvious to one of ordinary skill in the art to modify the teachings of Matkovic with the

teachings of El – Kwae in order to search for and retrieve images using spatial similarity

(El – Kwae, page 174, lines 1 - 5).

With respect to claim 64, Matkovic teaches a visual image query method

(Introduction, page 116, lines 36 - 39). Matkovic does not explicitly teach audio objects

as claimed.

However, El-Kwae teaches the collection includes audio objects (i.e. may be

implemented with audiovisual search engines, page 178, line 15)).

Matkovic and El – Kwae are analogous art because they are from the same field

of endeavor of image searching. At the time of the invention, it would have been

obvious to one of ordinary skill in the art to modify the teachings of Matkovic with the

teachings of El – Kwae in order to search for and retrieve images using spatial similarity

(El – Kwae, page 174, lines 1 - 5).

With respect to claim 73, Matkovic teaches a visual image query method

(Introduction, page 116, lines 36 - 39). Matkovic does not explicitly teach raster data as

claimed.

However, El-Kwae teaches a reference image includes raster data (i.e. reference

image includes shape data, page 175, line 7).

Matkovic and El – Kwae are analogous art because they are from the same field

of endeavor of image searching. At the time of the invention, it would have been

obvious to one of ordinary skill in the art to modify the teachings of Matkovic with the

teachings of El – Kwae in order to search for and retrieve images using spatial similarity

(El – Kwae, page 174, lines 1 - 5).

With respect to claim 74, Matkovic teaches a visual image query method

(Introduction, page 116, lines 36 - 39). Matkovic does not explicitly teach vector data as

claimed.

However, El-Kwae teaches a reference image includes vector data (i.e. images

have vector data, page 181, line 30).

Matkovic and El – Kwae are analogous art because they are from the same field

of endeavor of image searching. At the time of the invention, it would have been

obvious to one of ordinary skill in the art to modify the teachings of Matkovic with the

teachings of El – Kwae in order to search for and retrieve images using spatial similarity

(El – Kwae, page 174, lines 1 - 5).

With respect to claim 75, Matkovic teaches a visual image query method

(Introduction, page 116, lines 36 - 39). Matkovic does not explicitly teach audio objects

as claimed.

However, El-Kwae teaches the collection includes audio objects (i.e. may be

implemented with audiovisual search engines, page 178, line 15).

Matkovic and El – Kwae are analogous art because they are from the same field

of endeavor of image searching. At the time of the invention, it would have been

obvious to one of ordinary skill in the art to modify the teachings of Matkovic with the

teachings of El – Kwae in order to search for and retrieve images using spatial similarity

(El – Kwae, page 174, lines 1 - 5).

Claims 65 – 66, and 76 - 77 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Kresimir Matkovic et al. ("Visual Image Query", ACM, June 11 – 13,

2002, pages 116 - 123) in view of Essam El—Kwae et al. ("A Robust Framework for

Content – Based Retrieval by Spatial Similarity in Image Databases," ACM, 1999,

pages 174 - 198) in view of Howard Wactlar et al. (U.S. Patent 5,835,667), hereinafter,

"Wactlar."

With respect to claim 65, Matkovic teaches combining further comprises

receiving one or more reference objects (i.e. target images, or reference images are

retrieved, page 117, 3: Main Idea, lines 1 - 3), and El – Kwae teaches searching and

retrieving images using special similarity (page 174, lines 1 - 5). The combination of

Matkovic and El - Kwae does not explicitly disclose calculating and searching sound

and video objects as claimed.

However, Wactlar teaches calculating sound parameters for each reference

audio object wherein the sound parameters characterize sound features in the

reference object that map to image parameters of at least one reference image (i.e.

audio data is transcribed and indexed, column 4, lines 34 - 41), combining the sound

parameters with the image parameters to produce composite reference information (i.e.

segmented audio/video data is combined, column 6, lines 45 - 54).

Matkovic, El – Kwae, and Wactlar are analogous art because they are from the

same field of endeavor of image searching. At the time of the invention, it would have

been obvious to one of ordinary skill in the art to modify the teachings of Matkovic and

El – Kwae with the teachings of Wactlar in order to improve video searching capabilities (column 4, lines 9 - 16).

With respect to claim 66, Matkovic teaches a visual image query method (Introduction, page 116, lines 36 - 39), and El – Kwae teaches searching and retrieving images using special similarity (page 174, lines 1 - 5). The combination of Matkovic and El - Kwae does not explicitly disclose calculating and searching sound and video objects as claimed.

However, Wactlar teaches comparing the composite reference information to images and sound objects in a collection in order to identify one or more of the images or the sound objects having features described by the composite reference information (i.e. images, videos, and sounds are compared to find similar objects, column 12, lines 33 - 40).

Matkovic, El – Kwae, and Wactlar are analogous art because they are from the same field of endeavor of image searching. At the time of the invention, it would have been obvious to one of ordinary skill in the art to modify the teachings of Matkovic and El – Kwae with the teachings of Wactlar in order to improve video searching capabilities (column 4, lines 9 - 16).

With respect to claim 76, Matkovic teaches receiving one or more reference audio objects (i.e. target images, or reference images are retrieved, page 117, 3: Main Idea, lines 1 - 3), and El – Kwae teaches searching and retrieving images using special similarity (page 174, lines 1 - 5). The combination of Matkovic and El - Kwae does not explicitly disclose calculating and searching sound and video objects as claimed.

However, Wactlar teaches calculating sound parameters for each reference audio object wherein the sound parameters characterize sound features in the reference sound object that map to image parameters of at least one reference image (i.e. audio data is transcribed and indexed, column 4, lines 34 - 41), combining the sound parameters with the image parameters to produce composite reference information (i.e. segmented audio/video data is combined, column 6, lines 45 - 54).

Matkovic, El – Kwae, and Wactlar are analogous art because they are from the same field of endeavor of image searching. At the time of the invention, it would have been obvious to one of ordinary skill in the art to modify the teachings of Matkovic and El – Kwae with the teachings of Wactlar in order to improve video searching capabilities (column 4, lines 9 - 16).

With respect to claim 77, Matkovic teaches a visual image query method (Introduction, page 116, lines 36 - 39), and El – Kwae teaches searching and retrieving images using special similarity (page 174, lines 1 - 5). The combination of Matkovic and El - Kwae does not explicitly disclose calculating and searching sound and video objects as claimed.

However, Wactlar teaches comparing the composite reference information to images and sound objects in a collection in order to identify one or more of the images or the sound objects having features described by the composite reference information (i.e. images, videos, and sounds are compared to find similar objects, column 12, lines 33 - 40).

Matkovic, El – Kwae, and Wactlar are analogous art because they are from the

same field of endeavor of image searching. At the time of the invention, it would have

been obvious to one of ordinary skill in the art to modify the teachings of Matkovic and

El – Kwae with the teachings of Wactlar in order to improve video searching capabilities

(column 4, lines 9 - 16).

Claims 69 - 70 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Kresimir Matkovic et al. ("Visual Image Query", ACM, June 11 – 13, 2002, pages 116 -

123) in view of Howard Wactlar et al. (U.S. Patent 5,835,667), hereinafter, "Wactlar."

With respect to claim 69, Matkovic teaches receiving a plurality of reference

objects (i.e. target images, or reference images are retrieved, page 117, 3: Main Idea,

lines 1 - 3).

Matkovic does not explicitly disclose that the reference objects are video objects.

However, Wactlar teaches calculating by a computer video parameters for each

reference video object wherein the video parameters characterize image and audio

features in the reference video object that are common to the reference video object

and at least one other reference video object (i.e. audio data is transcribed and indexed,

column 4, lines 34 - 41), combining by the computer the video parameters to generate

composite reference information (i.e. segmented audio/video data is combined, column

6, lines 45 - 54), comparing by the computer the composite reference information to

video objects in a collection in order to identify one or more of the video objects having

features described by the composite reference information (i.e. images, videos, and sounds are compared to find similar objects, column 12, lines 33 - 40).

Matkovic and Wactlar are analogous art because they are from the same field of endeavor of similarity searching.

At the time of the invention, it would have been obvious to one of ordinary skill in the art to modify the teachings of Matkovic with the teachings of Wactlar in order to improve video searching capabilities (column 4, lines 9 - 16).

With respect to claim 70, Matkovic teaches receiving a plurality of reference objects (i.e. target images, or reference images are retrieved, page 117, 3: Main Idea, lines 1 - 3). Matkovic does not explicitly disclose that the reference objects are text objects.

However, Wactlar teaches calculating by a computer text parameters for each reference text object wherein the text parameters characterize language features in the reference text object that are common to the reference text object and at least one other reference text object (i.e. textual parameters are calculated, column 6, lines 39 - 54), combining by the computer the text parameters to generate composite reference text (i.e. text, audio, and video are combined for similarity matching, column 7, lines 21 - 34), and comparing by the computer the composite reference text to text objects in a collection in order to identify one or more of the text objects having features described by the composite reference text (i.e. full text search is performed, column 5, lines 14 - 24).

Matkovic and Wactlar are analogous art because they are from the same field of endeavor of similarity searching.

At the time of the invention, it would have been obvious to one of ordinary skill in the art to modify the teachings of Matkovic with the teachings of Wactlar in order to improve video searching capabilities (column 4, lines 9 - 16).

Response to Arguments

Applicant's arguments filed January 28, 2010 have been fully considered but they are not persuasive. Therefore, examiner relies on her previous rejection and it is made FINAL.

1. Applicant argues that "Matkovic does not teach or suggest calculating parameters that characterize color, texture and shape features that are common to multiple reference images or generating a composite reference image from the common parameters of multiple reference images. Rather, the relied upon portion of Matkovic describes processing only the color features of individual images to create a descriptor of each image" (remarks, pages 7 – 8).

Examiner respectfully disagrees all of the allegations as argued. Examiner, in her previous office action, gave a detailed explanation of the claimed limitations and pointed out exact locations in the cited prior art.

Examiner is entitled to give claim limitations their broadest reasonable interpretation in light of the specification. See MPEP 2111 [R-1].

Interpretation of Claims-Broadest Reasonable Interpretation

During patent examination, the pending claims must be 'given the broadest reasonable interpretation consistent with the specification.' Applicant always has the opportunity to amend the claims during prosecution and broad interpretation by the examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified. In re Prater, 162 USPQ 541,550-51 (CCPA 1969).

Examiner thanks Applicant for recognizing that Malkovic teaches calculating parameters that characterize color (page 117, 3: Main Idea, lines 5 – 11). Examiner asserts that Malkovic also teaches texture (see page 117, 3.1.1, Descriptor Generation, where an image is described using size and color depth, which is equivalent to texture), and that Malkovic teaches shape features that are common to multiple references (see page 117, 3: Main Idea, lines 15 – 27, where shapes are used for comparison).

Examiner further asserts that Malkovic teaches generating a composite reference image from the common parameters of multiple reference images (see page 117, 3: Main Idea, lines 6 – 11, where an image is composed of small shapes where the color is mapped to the image using coordinates).

2. Applicant argues that "Matkovic does not teach or suggest this feature. Rather, Matkovic teaches weighing differences in comparing a query image to a target image, with no mention of ranking reference images or calculating parameters based on such ranks" (remarks, page 8).

Examiner responds that Malkovic does teach that reference images are ranked (see page 120, 4: Algorithm Summary, lines 26 – 30, where the top 100 matches are selected for comparison with respect to the parameters).

3. Applicant argues that "El-Kwae fail to remedy these deficiencies" (remarks, page 9).

Examiner thanks Applicant for recognizing that Malkovic teaches calculating parameters that characterize color (page 117, 3: Main Idea, lines 5 – 11), and further responds that E-Kwae was not applied to cure the deficiencies as pointed out by Applicant. Examiner asserts that Malkovic also teaches texture (see page 117, 3.1.1, Descriptor Generation, where an image is described using size and color depth, which is equivalent to texture), and that Malkovic teaches shape features that are common to multiple references (see page 117, 3: Main Idea, lines 15 – 27, where shapes are used for comparison).

Examiner further asserts that Malkovic teaches generating a composite reference image from the common parameters of multiple reference images (see page 117, 3: Main Idea, lines 6 – 11, where an image is composed of small shapes where the color is mapped to the image using coordinates).

4. Applicant argues that "El-Kwae does not teach or suggest that a collection of images includes audio objects, in which the collection is compared to a composite reference image generated from the common parameters of multiple reference images" (remarks, page 9).

Examiner thanks Applicant for pointing out that El - Kwae teaches audiovisual content – based search engines (page 178, lines 14 – 16) in combination with the Matkovic reference.

5. Applicant argues that "El-Kwae and Wactlar fail to remedy these deficiencies" (remarks, page 10).

Examiner thanks Applicant for recognizing that Malkovic teaches calculating parameters that characterize color (page 117, 3: Main Idea, lines 5 – 11). Examiner asserts that Malkovic also teaches texture (see page 117, 3.1.1, Descriptor Generation, where an image is described using size and color depth, which is equivalent to texture), and that Malkovic teaches shape features that are common to multiple references (see page 117, 3: Main Idea, lines 15 – 27, where shapes are used for comparison).

Examiner further asserts that Malkovic teaches generating a composite reference image from the common parameters of multiple reference images (see page 117, 3: Main Idea, lines 6 – 11, where an image is composed of small shapes where the color is mapped to the image using coordinates).

6. Applicant argues that "Wactlar does not teach or suggest calculating sound parameters or sound parameters that map to at least one reference image" (remarks, page 10).

Examiner asserts that Wactlar teaches calculating sound parameters, as the audio data is indexed and the video data is marked (column 4, lines 34 - 41).

7. Applicant argues that "Wactlar does not teach or suggest combining sound and image parameters to produce composite reference information" (remarks, page 11).

Examiner points to Malkovic, which teaches generating a composite reference image from the common parameters of multiple reference images (see page 117, 3: Main Idea, lines 6 – 11, where an image is composed of small shapes where the color is

mapped to the image using coordinates). Because this is a rejection under 35 U.S.C. 103, Examiner has applied the sound parameters of wactlar to the image parameters of Matkovic.

8. Applicant argues that "Wactlar does not teach or suggest characterizing image and audio features in reference video, or video parameters that are common to multiple reference video objects" (remarks, page 11).

Examiner points to Wactlar, which teaches calculating sound parameters, as the audio data is indexed and the video data is marked (column 4, lines 34 - 41).

9. Applicant argues that "Wactlar does not teach or suggest combining common video parameters from multiple reference videos to generate composite reference information" (remarks, page 12).

Examiner points to Malkovic, which teaches generating a composite reference image from the common parameters of multiple reference images (see page 117, 3: Main Idea, lines 6 – 11, where an image is composed of small shapes where the color is mapped to the image using coordinates). Because this is a rejection under 35 U.S.C. 103, Examiner has applied the sound parameters of wactlar to the image parameters of Matkovic.

10. Applicant argues that "Wactlar does not teach or suggest calculating text parameters that characterize language features in reference text, or text parameters that are common to multiple reference text objects" (remarks, page 13).

Examiner thanks Applicant for recognizing that Wactlar teaches a digital library, which includes pure text and indexed text.

11. Applicant argues that "Wactlar does not teach or suggest combining common text parameters from multiple reference texts to generate composite reference text" (remarks, page 13).

Examiner thanks Applicant for recognizing that Wactlar teaches a digital library, which includes pure text and indexed text.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALEXANDRIA Y. BROMELL whose telephone number is (571)270-3034. The examiner can normally be reached on M - R 9 - 3.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John R. Cottingham can be reached on 571-272-7079. The fax phone

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Alexandria Y Bromell/   /C. T. T./
Examiner, Art Unit 2167   Primary Examiner, Art Unit 2169
May 6, 2010

/John R. Cottingham/
Supervisory Patent Examiner, Art Unit 2167